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C O N F I D E N T I A L PARIS 008246

SIPDIS

STATE FOR EUR/WE, EB/ESC/TFS FOR JEAN CLARK
S/CT FOR TODD KUSHNER
INL/C/CP FOR STEVEN PETERSON
TREASURY FOR ADAM SZUBIN /OFAC FOR PAUL LURIE

E.O. 12958: DECL: 12/05/2015
TAGS: [PREL](#) [PTER](#) [PARM](#) [KTFN](#) [FR](#)
SUBJECT: FRENCH REACTION TO E.O. 13382 DESIGNATIONS

REF: SECSTATE 214780

Classified By: Econ Counselor Ken Merten for reasons 1.4 (b) and (d).

11. (C) We delivered ref points to the Asset-Freezing Directorate in the Ministry of Economy. We spoke with Vincent Guitton, Head of the Services, Investment and IPR Division in the Ministry of Economy, who took note of the information but expressed skepticism that France could do anything about it, as France lacks any authority to block assets on WMD trafficking grounds.

12. (C) We requested information, per reftel, about laws and regulations that France has to combat WMD proliferation financing or enabling it to freeze assets of suspected WMD proliferators. We noted France,s proposed new anti-terrorist legislation (due to become law in about a month), which will in its relevant part grant explicit national authority to freeze terrorist assets. We asked whether France could use that new law to freeze assets of WMD traffickers. Guitton said probably not, as the law is very specifically written for anti-terrorism activities. We asked whether the proposed law could be amended to cover WMD traffickers, but Guitton said it is too late in the French process. The French government has broad powers to propose legislation, but proposed laws go through a rigid review process that normally precludes significant amendments between introduction and passage. A new law would be required, which would take several months at the least. We noted that the proposed new law envisions implementation by administrative decree, and asked if the decree could be written in a way to include WMD traffickers. Guitton thought that might be possible. Although the legal basis is shakier, one could make an argument that since WMD could be used for terrorists, ends, asset freezing would be justifiable. Guitton promised to review the possibility with the Ministry,s legal staff.

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Stapleton